

FORM 1350 (REV. 5-93) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2005-0152A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		U.S. APPLICATION NO. (if known, 37 CFR 1.101) NEW <b>10/524858</b>
International Application No. PCT/JP2004/008777	International Filing Date June 16, 2004	Priority Date Claimed June 20, 2003
Title of Invention PATCHES CONTAINING TUROBUTEROL		
Applicant(s) For DO/EO/US Sadanobu SHIRAI, Masahiro YAMAJI, Osamu YOSHIMOTO, Mamoru NARUSE, Kenichi HATTORI and Takako SUEDA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been or will be transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation (22 pages and A4P drawings for Figs. 1-4) of the International Application into English (35 U.S.C. §371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19.</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).</li> </ol>		
Items 11. to 14. below concern other document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment.  <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> Other items or information: (a) Request Re Title of Invention; (b) PCT Request; (c) Form PCT/IB/304; (d) International Search Report; (e) First page of Published International Application (WO 2004/112770); and (f) Written Opinion (Form PCT/ISA/237).</li> </ol>		

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

U.S. APPLICATION NO. <b>10/524858</b>		INTERNATIONAL APPLICATION NO. PCT/JP2004/008777		ATTORNEY'S DOCKET NO. 2005-0152A																																																										
15. [X] The following fees are submitted  Basic National Stage Fee ..... \$300.00 National Stage Search Fee..... \$400.00 National Stage Examination Fee..... \$200.00 Specification/drawings in excess of 100 pages (units of 50 x \$250.00) = ..... \$  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1"><thead><tr><th>Claims</th><th>Number Filed</th><th>Number Extra</th><th>Rate</th></tr></thead><tbody><tr><td>Total Claims</td><td>3 - 20 =</td><td>0</td><td>X \$50.00</td></tr><tr><td>Independent Claims</td><td>1 - 3 =</td><td>0</td><td>X \$200.00</td></tr><tr><td colspan="3">Multiple dependent claim(s) (if applicable)</td><td>+ \$360.00</td></tr><tr><td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td><td>\$900.00</td></tr><tr><td colspan="3">[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.</td><td>\$</td></tr><tr><td colspan="3"><b>SUBTOTAL =</b></td><td>\$900.00</td></tr><tr><td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td><td>+</td><td>\$</td></tr><tr><td colspan="3"><b>TOTAL NATIONAL FEE =</b></td><td>\$900.00</td></tr><tr><td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</td><td>\$ 40.00</td></tr><tr><td colspan="3"><b>TOTAL FEES ENCLOSED =</b></td><td>\$940.00</td></tr><tr><td colspan="3"></td><td>Amount to be refunded</td><td>\$</td></tr><tr><td colspan="3"></td><td>Amount to be charged</td><td>\$</td></tr></tbody></table> <p>a. [X] A check in the amount of <u>\$940.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees.     A duplicate copy of this sheet is enclosed. c. [] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u>.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <table border="1"><tr><td>19. CORRESPONDENCE ADDRESS</td><td>By: <u>Michael R. Davis</u> Michael R. Davis, Registration No. 25,134  WENDEROTH, LIND &amp; PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250  February 18, 2005</td></tr></table>				Claims	Number Filed	Number Extra	Rate	Total Claims	3 - 20 =	0	X \$50.00	Independent Claims	1 - 3 =	0	X \$200.00	Multiple dependent claim(s) (if applicable)			+ \$360.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$900.00	[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.			\$	<b>SUBTOTAL =</b>			\$900.00	Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			+	\$	<b>TOTAL NATIONAL FEE =</b>			\$900.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +			\$ 40.00	<b>TOTAL FEES ENCLOSED =</b>			\$940.00				Amount to be refunded	\$				Amount to be charged	\$	19. CORRESPONDENCE ADDRESS	By: <u>Michael R. Davis</u> Michael R. Davis, Registration No. 25,134  WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250  February 18, 2005	CALCULATIONS	PTO USE ONLY
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CUSTOMER NO. <b>000513</b>		WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250  February 18, 2005	
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[CHECK NO.

[2005-0152A]

10/524858

DT05 Rec'd PCT/PTO 18 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Sadanobu SHIRAI et al. : **Mail Stop: PCT**  
Serial No. NEW : Attorney Docket No. 2005-0152A  
Filed February 18, 2005 :  
PATCHES CONTAINING TUROBUTEROL  
[Corresponding to PCT/JP2004/008777  
Filed June 16, 2004]

REQUEST RE TITLE OF INVENTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

Sir:

Applicants respectfully request that the PTO use the following title for the invention:

PATCHES CONTAINING TUROBUTEROL

as set forth on the first page of the specification and in the executed Declaration and Power of Attorney form, instead of the title set forth in the published International Application.

Respectfully submitted,

Sadanobu SHIRAI et al.

By:



Michael R. Davis

Registration No. 25,134

Attorney for Applicants

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Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
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February 18, 2005